

**COMMUNITY AFFAIRS**

**DIVISION OF CODES AND STANDARDS**

**Uniform Construction Code**

**Plumbing Subcode**

**Proposed Amendments: N.J.A.C. 5:23-3.15**

Authorized by: Susan Bass Levin, Commissioner, Department of Community Affairs

Authority: N.J.S.A. 52:27D-124

Proposal Number: PRN 2004-

Calendar: See Summary below for explanation of exception to calendar requirement.

Submit written comments by: March 18, 2004 to:

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**SUSAN BASS LEVIN, Commissioner**

The agency proposal follows:

**Summary**

Currently, the plumbing subcode of the Uniform Construction Code (UCC) requires a minimum earth cover of 24 inches for building sewers. Because septic systems

are required to be installed at higher elevations, pumps may be required to force sewage to the septic systems. The proposed amendment would require a minimum earth cover of six inches for building sewers that discharge to private sewage disposal systems to eliminate the need for pumps.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

### **Social Impact**

The proposed amendment would enhance the effectiveness of the plumbing subcode of the UCC by providing clear requirements for the minimum earth cover required for building sewers that discharge to private sewage disposal systems. The proposed rule is in no way detrimental to public health and eliminates a requirement that may lead to the need for a pump.

### **Economic Impact**

The Department anticipates that the proposed amendment would have a positive economic impact. By requiring a minimum earth cover of six inches for building sewers that discharge to private sewage disposal systems, the costs associated with installing pumps would be eliminated.

### **Federal Standards Statement**

No Federal standards analysis is required because these amendments are not being proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

### **Jobs Impact**

The Department does not anticipate that any jobs would be created or lost as a result of these proposed amendments.

### **Agriculture Industry Impact**

The Department does not anticipate that the proposed amendments would have any impact on the agricultural industry.

### **Regulatory Flexibility Statement**

The proposed amendment provides requirements for the minimum earth cover for a building sewer discharging to a private sewage disposal system. A small business with a building sewer that discharges to a private sewage disposal system would be required to provide the minimum earth cover for the sewer like any other property owner in a similar situation and small businesses would benefit from the elimination of the need for a pump as described above. This proposed amendment would not impose any record-keeping or reporting requirements on "small businesses," as defined by the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. No additional professional services would be required as a result of this proposed amendment.

### **Smart Growth Impact**

The Department does not anticipate that the proposed amendment would have any impact upon either the achievement of "smart growth" or implementation of the State Development and Redevelopment Plan.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

## 5:23-3.15 Plumbing Subcode

(a) (No change.)

(b) The following pages, chapters, sections or appendices of the plumbing subcode are amended as follows:

1. – 2. (No change.)

3. Chapter 2 of the plumbing subcode, entitled “General Regulations,” is amended as follows:

i. – iii. (No change.)

iv. In Section 2.16, at Item 1, insert the number “42” in the blank space provided. Additionally, add the following sentence: "Combination domestic/fire water service piping shall be installed such that the minimum earth cover is 42 inches or the top of the pipe is 12 inches below the frost depth of the locality, whichever is greater.

Limited-area sprinkler systems installed in accordance with Section 903.3.5.1.1 of the building subcode, shall be installed such that the minimum earth cover is 42 inches." In the same section, at Item 2, insert the number “24” in the blank space provided[.] **and add the following sentence at the end: “Minimum earth cover for building sewers connected to a private sewage disposal system shall be 6 inches.”**

v. – vi. (No change.)

4. – 16. (No change.)